

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/25/08

CORDIUS TRUST,

Plaintiff,

-v-

ELIZABETH KUMMERFELD, KUMMERFELD
ASSOCIATES, INC.,

Defendants.

99 Civ. 3200 (DLC)

JUDGMENT

CORDIUS TRUST,

Petitioner,

-v-

DONALD KUMMERFELD

Respondent.

04mc 10267-WGY

DENISE COTE, District Judge:

This action having come on for trial between the plaintiff, Cordius Trust, and the defendants, Kummerfeld Associates, Inc. and Elizabeth Kummerfeld, before the Court, the Honorable Denise Cote, United States District Judge presiding, the issues having been duly tried, and the Court having rendered its decision and entered judgment on April 12, 2000 in favor of the plaintiff and against the defendants in the amount of \$1,418,000 plus pre-judgment interest of \$111,011.87 and post-judgment interest at the statutory rate of 6.87% per annum, plus attorneys fees of \$72,840.73, and that judgment having been affirmed;

The defendants having failed to satisfy any portion of said judgment;

The plaintiff Cordius Trust thereafter moved pursuant to Federal Rule of Civil Procedure 69 for the issuance of a writ of execution and turnover order piercing the corporate veil of Kummerfeld Associates, Inc. in order to render respondent Donald Kummerfeld's assets amenable to attachment;

The action for writ of execution and turnover order piercing the corporate veil of Kummerfeld Associates, Inc. having been tried to a jury, commencing on Monday, January 14, 2008, the Honorable Denise Cote, United States District Judge presiding, and the jury having rendered a verdict on Friday, January 18, 2008, in favor of piercing the corporate veil of Kummerfeld Associates, Inc. in order to render respondent Donald Kummerfeld's assets amendable to attachment;

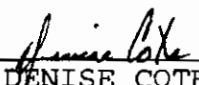
IT IS NOW HEREBY ORDERED AND ADJUDGED, in accordance with the January 18, 2008 verdict of the jury, that plaintiff Cordius Trust recover from Donald Kummerfeld, Elizabeth Kummerfeld, and Kummerfeld Associates, Inc. damages in the amount of \$1,418,000 plus pre-judgment interest of \$111,011.87 and post-judgment interest from April 12, 2000 at the statutory rate of 6.87% per annum, which post-judgment interest totals \$1,054,943.42 through January 25, 2008, plus attorneys fees and costs in the amount of \$72,840.73, for a total amount as of January 25, 2008 of

\$2,656,796.02, plus post-judgment interest at the rate of 6.87% per annum; and finally

IT IS HEREBY ORDERED AND ADJUDGED that this Court shall retain jurisdiction over this action to the extent permitted by law to address any issues that arise and are brought before the Court in the course of the execution of this Judgment and to address any additional requests for attorneys' fees and costs associated with the collection of this Judgment.

SO ORDERED:

Dated: New York, New York
January 25, 2008



DENISE COTE
United States District Judge